

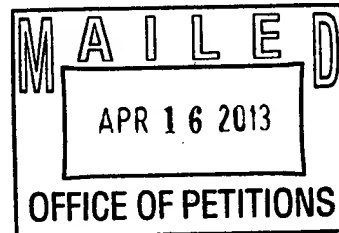


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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DW Apr-13

Paper No. 9

THOMAS W FERGUSON
4653 Smithfield Street
Shadyside, OH 43947



In re Patent No. 6,185,490 :
Issue Date: 02/06/2001 :
Application Number: 09/270,639 : LETTER DISMISSING PETITION
Filing Date: 03/15/1999 :
For: VEHICLE CRASH DATA :
RECORDER :

This is a decision in reference to the paper styled as a petition under 37 CFR 1.378(c), filed on March 14, 2013, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **dismissed** for the reason stated below.

The petition lacks the fee required by 37 CFR 1.378(c)(2).

Patent and trademark fees and charges payable to the Patent and Trademark Office are required to be paid in advance, that is, at the time of requesting any action by the Office for which a fee or charge is payable.¹ As such, the petition fee is a prerequisite to the filing of the present petition, and the Office will not reach the merits of the petition unless and until the petition fee is submitted. Any request for reconsideration of this petition must be accompanied by the petition fee.

A review of the record reveals that patentee submitted a total of \$2,440.00 towards the maintenance fee required by § 1.20(e) and the surcharge required by § 1.20(i)(2). Effective October 5, 2012, however, the amount due for the 11 ½ year maintenance fee payment is \$2,405.00. Additionally, the amount due for the surcharge under § 1.20(i)(2) was \$1,640.00. As such, March 14, 2013, a total of \$4,045.00 was due.

¹ 37 CFR 1.22(a).

37 CFR 1.22(a) states that patent fees and charges payable to the United States Patent and Trademark Office are required to be paid in advance; that is, at the time of requesting any action by the Office for which a fee or charge is payable.

Accordingly, the petition is dismissed without prejudice to reconsideration pending submission of the additional surcharge due.

Petitioner is reminded that effective March 19, 2013, Office fees have been revised. All fees must be paid in the amount due at the time the fee payment is filed. A copy of the revised fee schedule effective March 19, 2013 is enclosed for petitioners' reference.

A renewed petition must be submitted with the balance due.

A reply to this communication **must** be submitted within ONE (1) MONTH of receipt of this communication. **This time period is not extendable.**²

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

A reply may also be filed via EFS-Web.

² 37 CFR 1.181(f).

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3231.

A handwritten signature in black ink, appearing to read "D Wood", written in a cursive style.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Encl: Fee Schedule Effective March 19, 2013